

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2014-69-S - ORDER NO. 2014-436
MAY 21, 2014

Application of Palmetto Wastewater)	ORDER ESTABLISHING
Reclamation, LLC (Alpine Utilities and)	ORAL ARGUMENTS
Woodland Utilities Service Areas) for)	
Adjustment of Rates and Charges)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Answer in Opposition and Objection of Palmetto Wastewater Reclamation, LLC (Alpine Utilities and Woodland Utilities Service Areas) (“PWR” or “the Company”) to the proposed intervention in this case by Arch Enterprises, LLC d/b/a McDonalds (“Arch”). The utility argues that Arch is not a “customer” under the regulatory definition, since sewer service is not “supplied” by the Company as intended by the Commission’s Regulation, and that Arch is unlawfully receiving service. The Company further argues that the Commission has regulations pertaining to the establishment of a sewer account which have not been followed since Arch took over the McDonalds restaurant at issue in July 2013. Prior to this date, the McDonalds was operated by a different corporation, RBF Enterprises, LLC (“RBF”). Arch states that the proposed rate is arbitrary and capricious, and will likely result in an exorbitant rate increase to it. PWR denies these allegations.

This Commission does not have enough information to make the determination requested, and therefore, we direct the Commission Staff to schedule oral arguments in

this case on the Answer in Opposition and Objection to Arch's intervention. When the parties appear for those arguments, they should be ready to address such issues as whether RBF, the former owner of the McDonalds, has ever notified the Company of cancellation of its contract for sewer service, and, if so, when it did so; the circumstances of the transfer of the restaurant from RBF to Arch in July 2013; to whom the billing notices from the Company have been sent since that time; and whether the parties have been able to reach an accommodation regarding their dispute that was the subject of this Commission's dismissal in the related complaint case filed by Arch.

Accordingly, our ruling on the Company's objection to the proposed intervention of Arch in this rate case shall be held in abeyance, pending oral argument on issues raised by the intervention request and the Answer in Opposition and Objection to said request.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



Nikiya Hall, Vice Chairman

(SEAL)